

1 LEON DAYAN (State Bar No. 153162)
ABIGAIL V. CARTER*
2 RAMYA RAVINDRAN*
LANE M. SHADGETT*
3 J. ALEXANDER ROWELL*
BREDHOFF & KAISER P.L.L.C.
4 805 Fifteenth Street NW, Suite 1000
Washington, DC 20005
5 Telephone: (202) 842-2600
Facsimile: (202) 842-1888
6 ldayan@bredhoff.com
acarter@bredhoff.com
7 rravindran@bredhoff.com
lshadgett@bredhoff.com
8 arowell@bredhoff.com
*Application *pro hac vice* forthcoming

9 Daniel Feinberg, SBN 135983
10 Catha Worthman, SBN 230399
Anne Weis, SBN 336480
11 **FEINBERG, JACKSON, WORTHMAN
& WASOW, LLP**
12 2030 Addison Street, Suite 500
Berkeley, CA 94704
13 Tel. (510) 269-7998
Fax (510) 269-7994
14 dan@feinbergjackson.com
catha@feinbergjackson.com
15 anne@feinbergjackson.com

16 *Attorneys for Plaintiffs*

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**
19 **SAN FRANCISCO DIVISION**

20 AMERICAN FEDERATION OF
21 GOVERNMENT EMPLOYEES, AFL-CIO, et
al.,

22 Plaintiffs,

23 v.

24 DONALD J. TRUMP, in his official capacity as
25 President of the United States, et al.,

26 Defendants.
27
28

Case No.: 3:25-cv-03070-JD

**DECLARATION OF FRANKLYN
FRAGOMENE**

DECLARATION OF FRANKLYN FRAGOMENE

I, Franklyn Fragomene, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I work for the American Federation of Government Employees, AFL-CIO ("AFGE") as the Deputy Director in the Field Services and Education Departments ("FSED"). I have been employed by AFGE since 2010.

3. My duties include: supervising a team of Labor Relations Specialists; serve as chief negotiator for bargaining councils within AFGE; provide guidance to union representatives in all aspects of collective bargaining; file unfair labor practice charges and negotiability appeals; and negotiate before the Federal Services Impasse Panel ("FSIP").

4. I have personal knowledge of the Federal Labor Relations Authority ("FLRA") agents for FLRA Regional Offices informing AFGE representatives that the FLRA Regional Offices would stop further processing on cases involving federal agencies covered by the March 27, 2025 Executive Order. All cases involving federal agencies covered by the Executive Order will be held in abeyance.

5. The FLRA has jurisdiction over the Federal Service Labor-Management Relations Statute (the "Statute"), 5 U.S.C. §§7101–7135.

6. Cases under the Statute include: (1) representation petitions, including clarification and election petitions; (2) unfair labor practice charges; (3) negotiability appeals; and (4) review of arbitration awards.

7. AFGE and its constituent affiliates have numerous pending matters before the FLRA, including but not limited to, representation petitions and unfair labor practice charges.

8. The pausing of processing representation petitions has a damaging effect to AFGE. It will stop elections from occurring, which prevents employees from exercising their free choice to choose their representative. It will also prevent the union from correcting an employee's bargaining unit status ("BUS") code that an agency incorrectly assigned to an

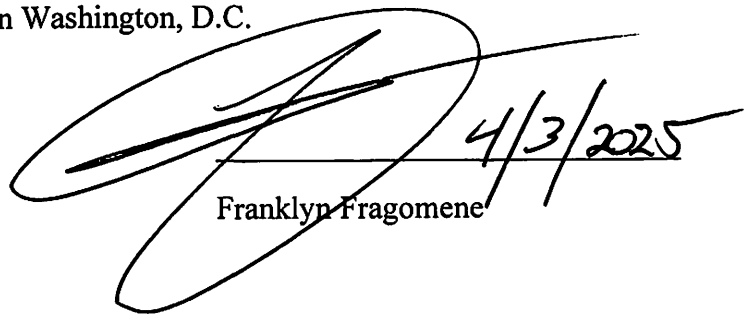
1 employee and results in an employee being denied the ability to belong to a bargaining unit.
2 Further, the pausing of processing representation petitions inhibits the union's ability to organize
3 employees for the purposes of representation and thus, denies the union the ability to serve as the
4 employees' chosen exclusive representative.

5 9. By pausing the processing of unfair labor practice charges the union has filed
6 against agencies named in the March 27th Executive Order, the union's ability to hold the
7 agencies accountable and to protect its bargaining unit employees' rights.

8 10. In total, the FLRA OGC's guidance to its Regional Offices to place all pending
9 cases involving affected agencies in abeyance takes away the union's ability to use the Statute to
10 contest matters under the FLRA's purview.

11 I declare under penalty of perjury under the laws of the United States that the foregoing is
12 true and correct. Executed April 3, 2025, in Washington, D.C.

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Franklyn Fragomene